IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND

PRESENT

**THE HON'BLE SMT JUSTICE T.MEENA KUMARI**

**WRIT PETITION NO : 4898 of 1995**

Between:

Neelapu Venkata Kumari D/o Appanna
18th ward, Pedhayerukapadu,
Gudiwada, Krishna Dist.

..... PETITIONER

AND

1 The Director, Tribal Welfare Masab Tank, Hyderabad
2 The District Collector, Machilipatnam, Krishna Dist.
3 The Mandal Revenue Officer Gudiwada, Krishna Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue writ order or direction more in the nature of writ of mandamus directing the respondents to issue caste certificate to the effect that the petitioner is Konda Reddi.

**Counsel for the Petitioner: MR.RAMESH KATIKINENI**

**Counsel for the Respondent Nos.1 to 3: GP for Social Welfare**

The Court made the following :

ORDER

This writ petition has been filed seeking a direction to the respondents for issuance of caste certificate to the petitioner.

The grievance of the petitioner is that he applied for caste certificate in the month of January,1994, but so far he has not been issued the said certificate by the respondents. Therefore, he approached this Court.

Heard the learned counsel on either side.

The issuance of certificate is within the ambit of the concerned authorities as it requires thorough enquiry and investigation as to the genuineness or otherwise of the same in the light of the provisions of Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (for short 'the Act'). At this juncture, it is necessary to look into the Section 4 of the Act, which reads as under:

> "4.Community Certificate to be issued by competent authority: (1) The Competent Authority may, on an application made to it under

Section3, satisfy itself about the genuineness or otherwise of the claim made therein and thereafter issue a community certificate within such period and in such form as may be prescribed or reject the application for reasons to be recorded in writing. A certificate in regard to community issued by any person, officer of



authority other than the competent authority shall be invalid.

(2) Before the issue or rejection of a certificate under sub-sec (1) the competent authority shall follow such procedure as may be prescribed.

In the light of the provisions of Section 4 of the Act, I deem it appropriate to direct the petitioner to approach the competent authority and the competent authority in turn shall consider the case of the petitioner in accordance law.

Subject to the above observations, this writ petition is disposed of. No costs.

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23-09-2004

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To

1 The Director, Tribal Welfare Masab Tank, Hyderabad
2 The District Collector, Machilipatnam, Krishna Dist.
3 The Mandal Revenue Officer Gudiwada, Krishna Dist.

4 Two CCs to GP for Social Welfare, High Court buildings,

Hyderabad (OUT)

5 Two CD copies.